

MINUTES
LAKE COUNTY ZONING BOARD
April 6, 2011

The Lake County Zoning Board met on Wednesday, April 6, 2011 in the Commission Chambers on the second floor of the County Administration Building to consider petitions for Rezoning and a Conditional Use Permit Revocation/Cancellation.

The recommendations of the Lake County Zoning Board will be transmitted to the Board of County Commissioners for their public hearing to be held on Tuesday, April 26, 2011 at 9 a.m. in the Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Timothy Morris, Vice Chairman	District 1
Scott Blankenship	District 2
James Gardner, Secretary	District 3
Rick Gonzalez	District 4
Paul Bryan, Chairman	District 5
Jim Miller	School Board Representative
Kasey Kesselring	At-Large Representative

Members Not Present:

John Childers	Ex-Officio, Nonvoting Military Representative
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Staff Present:

Brian T. Sheahan, AICP, Director, Planning and Community Design Division
Steve Greene, AICP, Chief Planner, Planning and Community Design Division
Jennifer Cotch, Environmental Specialist, Planning and Community Design Division
Aziza Bryson, Public Hearing Coordinator, Planning and Community Design Division
Ann Corson, Office Associate IV, Planning and Community Design Division
Erin Hartigan, Assistant County Attorney

Chairman Bryan called the meeting to order at 9:04 a.m. He led in the Pledge of Allegiance and gave the invocation. Chairman Bryan noted that a quorum was present. He confirmed the Proof of Publication for each case as shown on the monitor and that this meeting had been noticed pursuant to the Sunshine Statute.

Chairman Bryan explained the procedure for hearing cases on the consent and regular agendas. He stated that all exhibits presented at this meeting by staff, owners, applicants, and those in support or opposition must be submitted to the Public Hearing Coordinator prior to proceeding to the next case. He added that this Board is a recommending board only, and the Board of County Commissioners will be hearing these cases later this month when a final determination will be made.

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<u>CASE NO.:</u>	<u>OWNER/APPLICANT/AGENT/PROJECT</u>	<u>AGENDA NO.</u>
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Opening Discussion

CONSENT AGENDA:

CUP Revocation: CUP#275-5	Craig Brown	1
PH#33-10-2	Craig and Mary Ann Brown Brown's Auto Sales Richard P. Newman, Esq.	2
PH#07-11-1	Kenneth and Melanie Wagner Wagner Rezoning Ken Wagner	3

Closing Remarks

Adjournment

OPENING DISCUSSION

Chairman Bryan asked if there were any changes to the consent agenda. Being none, Chairman Bryan mentioned some concerns regarding the impervious surface of Agenda item #2 and requested a full discussion. Agenda item #2, case number PH#33-10-2, was pulled from the consent agenda to the regular agenda.

CONSENT AGENDA:

CUP Revocation: CUP#275-5	Craig Brown	1
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MOTION by Kasey Kesselring, **SECONDED** by Scott Blankenship to recommend **APPROVAL** of the consent agenda, consisting of agenda items 1 & 3.

FOR: Blankenship, Morris, Bryan, Gonzalez, Gardner, Kesselring, Miller

ABSENT: None

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 7-0

REGULAR AGENDA

CASE NO: PH# 33-10-2 AGENDA NO. 2

OWNER: Craig and Mary Ann Brown
APPLICANT: Rick Newman, Esq.
PROJECT NAME: Brown's Auto Sales

Rather than providing a full presentation of the case, Brian Sheahan, Director, specifically addressed Mr. Bryan's concerns regarding the impervious surface ratio. An aerial (EXHIBIT 1) of the site was displayed.

Mr. Sheahan stated that the site is non-compliant with the Comprehensive Plan and the Land Development Regulations (LDRs) because of the impervious surface ratio which is a result of excess asphalt. He pointed out that the site is approximately 90% impervious and the maximum allowed is 70%. He stated that it would be within the Boards discretion to recommend that a condition be placed that the site be brought into compliance regarding the impervious surface ratio.

Tiffany Kapner with LPG, spoke to the non-conformity of the site and answered some questions from the Board members.

Tim Morris, Board member, suggested that all documentation regarding the imperviousness of the site be available at the Board of County Commissioners meeting for informational purposes.

MOTION by Tim Morris, SECONDED by Scott Blankenship to recommend APPROVAL of the request in addition to a recommendation that they have the information of when the surface was put on so they will know whether it was in a timely fashion before they bought it or not.

Further Board discussion took place. Mr. Sheahan provided some suggested language to amend the motion, stating that the Board could place a condition on the Ordinance that if the applicant cannot demonstrate that the excess impervious surface was placed on the site with approvals, that they would have to remove it within a specified time of approval of the Ordinance.

Erin Hartigan, Assistant County Attorney, advised Mr. Morris to amend the motion.

MOTION AMENDED by Tim Morris, SECONDED by Scott Blankenship to recommend APPROVAL of the request adding a condition to the Ordinance that if the Applicant cannot demonstrate that the excess impervious surface was placed on the site with approvals, that they would have to remove it within a specified time of approval of the Ordinance.

Chairman Bryan clarified that the motion will reflect that if the Applicant cannot demonstrate that the appropriate permitting was done for the additional asphalt; the Applicant would have to bring that portion back to conformity.

FOR: Morris, Gardner, Bryan, Gonzalez, Blankenship, Kesselring, Miller
ABSENT: None
AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 7-0

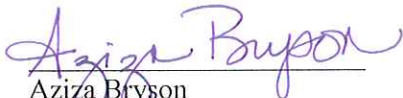
CLOSING REMARKS

Mr. Sheahan mentioned a flyer he passed out regarding an Economic Summit being given on Thursday night, April 7, 2011, at Lake Sumter Community College.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:15 a.m.

Respectfully submitted,


Aziza Bryson
Public Hearing Coordinator


Paul Bryan
Chairman